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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/726,702

12/04/2003

Delmar Eugene Blevins

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9001

45727

7590

09/17/2007

EXAMINER

IP AUTHORITY, LLC  
RAMRAJ SOUNDARARAJAN  
9435 LORTON MARKET STREET #801  
LORTON, VA 22079

ART UNIT

PAPER NUMBER

DATE MAILED: 09/17/2007

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE

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10/126,202

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20070827

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

  
SAM RIMELL  
PRIMARY EXAMINER

**Notice of Non-Responsive Reply**

The reply filed on 6/21/2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): 37 CFR 1.111 (b) states: "In order to be entitled to reconsideration or further examination, the applicant or patent owner must reply to the Office action. The reply by the applicant or patent owner must be reduced to a writing which distinctly and specifically points out the supposed errors in the examiner's action and must reply *to every ground of objection and rejection in the prior Office action.*"(emphasis added). However the rejections under 35 U.S.C. 112 and 101 are not addressed. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

It is also noted that the newly added claims appear to in some cases be identical to the claims canceled in the instant amendment, for example independent claims 43, 49, and 57.

Reinstatement of claim is generally reserved for previously canceled claims.

*"Reinstatement of previously canceled claim. A claim which was previously canceled may be reinstated only by adding the claim as a "new" claim with a new claim number."* 37 CFR 1.121(c)(5) (emphasis in original)

"Newly Added" claim 32 also appears to be similar to claim 1 with a slight amendment to the preamble. It is requested that in future amendments that applicant submit these type of

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amendments by amending the instant claims instead of canceling and reinstating the in order to reduce any confusion that may arise in the prosecution history.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cory C. Bell whose telephone number is (571) 272 2736. The examiner can normally be reached on m-f 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272 4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



**SAM RIMELL**  
**PRIMARY EXAMINER**